

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HIRA CORP., d/b/a)
LAFAYETTE MARKET,)
Plaintiff,) CIVIL ACTION
v.) NO. 11-10015-NMG
UNITED STATES,)
Defendant.)

REPORT AND RECOMMENDATION ON
PLAINTIFF'S COMPLAINT FOR JUDICIAL REVIEW

April 2, 2012

DEIN, U.S.M.J.

I. INTRODUCTION

The plaintiff, HIRA Corp., d/b/a Lafayette Market (the “Market”), has brought this action seeking to have this court reverse the Final Agency Decision of the United States Department of Agriculture (“USDA”) disqualifying it from participating in the Supplemental Nutrition Assistance Program (“SNAP”) and denying its request for a hardship civil monetary penalty (“CMP”) in lieu of disqualification. The Market was disqualified from participating in SNAP because it had been disqualified from participating in the Supplemental Nutrition Program for Women, Infants and Children (“WIC”) for violating that program’s requirements. Applicable law and regulations mandate that an entity disqualified from WIC must be disqualified from SNAP for an equivalent amount of time, unless such disqualification would result in a hardship on customers, at

*Report and Recommendation accepted and
adopted. gmb/sjt 4/25/12*